

floodSAFE California Initiative

Q & A

State-Federal Flood Control System Modification Program, Early Implementation Projects

Q: What is the matching funds requirement for the State-Federal Flood Control System Modification Program, Early Implementation Projects?

A: DWR is developing cost-sharing formulas. The cost share for any given application will depend on the project type and/or project component.

Q: My agency plans to submit a proposal that includes several components addressing flood control. In the event some portions of our proposal cannot be funded, does our agency risk rejection of the entire proposal?

A: No. Accepted portions of a proposal remain eligible for funds in the event some portion of the proposal cannot be funded.

Q: My agency plans to submit a proposal for funding of design costs for a flood management project. Are funds available under the State-Federal Flood Control System Modification Program, Early Implementation Projects for design costs only?

A: The grant funding under the State-Federal Flood Control System Modification, Early Implementation Projects is intended for eligible projects ready to go to construction in the coming fiscal year. As described under Criterion 2 of the Grant Application package, "design only" funds may be available, but only as a second priority after eligible requests for construction funds in FY 2007-08 have been met. As indicated on page 8 of the application package:

DWR may also consider providing grant funds (pending availability of State Fiscal Year 2007-08 funding) to help accelerate design for projects that do not expect to bid and/or begin construction by the end of June 2008; these applicants must demonstrate their proposed project's ability to provide substantial public benefits through enhanced flood protection. Also, for these projects, applicants must enter final design (see Appendix I on Page 20 for the definition of final design) and complete CEQA compliance by the end of June 2008.

While DWR welcomes applications for "design only" costs (subject to funding availability), agencies may also consider applying for funding for another component of the proposed project, in preparation for construction. For example, an agency may apply for funding to purchase and relocate structures through the Flood Protection Corridor Program. Since funding for design is a lower priority than funding for construction, applicants who will not be ready to begin construction by the end of June 2008 may stand a better chance of receiving funding for other project components through other grant programs in FY 2007-08. (Also note that accepted portions of a multi-part proposal remain eligible for funds in the event some portion of the proposal cannot be funded.)

floodSAFE California Initiative

Q & A

Q: How many applicants does DWR plan to fund under the State-Federal Flood Control System Modification Program, Early Implementation Projects?

A: For FY 2007-08, \$200 million will be made available for grants under this program. The number of applications to be funded will depend on the number of eligible applications and the total amount of funding requested by those applications. DWR will not know these figures until the review process is complete.

Q: Is there a minimum or maximum funding value that applicants may request for the State-Federal Flood Control System Modification Program, Early Implementation Projects?

A: No. There is no minimum or maximum funding value that applicants may request under this program. All received applications will first be screened for eligibility, using the Eligibility Criteria listed on page 5 of the Grant Application package and as shown in the checklist contained in Attachment 9 (see page 24). Following eligibility screening, DWR will apply cost-sharing formulas to those projects that meet all applicable eligibility criteria. DWR will then inform applicants of the cost-sharing requirements for their project type, and applicants must demonstrate their financial capability to meet the cost-sharing requirements before final project selection can be made.

Q: Can my agency either partner with—or apply via—a different state agency to have an opportunity to apply for State-Federal Flood Control System Modification Program, Early Implementation Projects grant funding?

A: No. Partnering with another agency is not allowed because, as indicated on page 1 of the Grant Application package:

An applicant must be a local public entity that has legal authority and jurisdiction to implement flood control programs or projects that rehabilitate, reconstruct, replace, improve or add to the facilities of the State Plan of Flood Control in the Central Valley, as defined in Proposition 1E, Section 5096.805.

Q: When will DWR make its final selection of grantees for the State-Federal Flood Control System Modification Program, Early Implementation Projects?

A: Based on the number of applications expected, DWR anticipates that eligibility criteria screening will be completed by end of May 2007, and project selection will be made during June 2007.

Q: What is the likely execution date of the Early Implementation Project grant agreements?

A: Following project selection, DWR will send letters of commitment to all selected applicants. The draft grant agreements will be ready for execution at that time. The execution date of each grant agreement will depend upon the expediency with which selected applicants provide the required agreement information.

floodSAFE California Initiative

Q & A

Q: My agency is considering a flood management project that may be part of and beneficial to the State Plan of Flood Control for the Central Valley. How can we confirm the project's eligibility before applying for funding from the State-Federal Flood Control System Modification Program?

A: For a project to be considered under the State-Federal Flood Control System Modification Program, Early Implementation Projects, it must meet the definition of "Facilities of the State Plan of Flood Control," as defined on page 25 of the Grant Application package:

"Facilities of the State Plan of Flood Control" means the levees, weirs, channels, and other features of the federal and state authorized flood control facilities located in the Sacramento and San Joaquin River drainage basin for which the board or the department has given the assurances of nonfederal cooperation to the United States required for the project, and those facilities identified in Section 8361 of the Water Code.

If the project under consideration is not eligible for funding under the State-Federal Flood Control System Modification Program, Early Implementation Projects, it may qualify for funding under other DWR-administered grant programs. For eligibility information on additional programs, please visit the floodSAFE web site:

www.floodsafe.water.ca.gov or the DWR web site: www.water.ca.gov.

Q: On page 8 of the Grant Application package for the State-Federal Flood Control System Modification Program, Early Implementation Projects, Criterion 2 states that CEQA and NEPA must be completed prior to execution of the agreement. What if an applicant does not yet have CEQA and NEPA completed, but can demonstrate completion of CEQA and NEPA on a timeline that meets the overall objective of ready to bid by June 2008?

A: If applicants complete final design (as defined on page 20 of the Grant Application package) and CEQA/NEPA compliance and obtain all applicable permits at the time of application submittal, they will have a greater chance to be considered for funding.

The longer it takes applicants to complete all the above items, the less likely their proposals will be selected for funding.

In all cases, to be considered for funding, applicants must demonstrate that the proposed project will be ready for construction by June 2008.

Q: My agency may not be able to obtain an approved resolution authorizing our application for the State-Federal Flood Control System Modification Program, Early Implementation Projects prior to the application submittal deadline. Can we still apply for funding?

A: In such instances, prospective applicants are encouraged to notify DWR of the conflict prior to submittal of the application.

floodSAFE California Initiative

Q & A

Q: On page 8 of the Grant Application package for the State-Federal Flood Control System Modification Program, Early Implementation Projects, Criterion 2 – Readiness to Proceed states, “provide a detailed schedule with supporting documentation including, but not limited to, plans and specifications, CEQA and, if applicable, NEPA compliance, and details on required permits.”

- a) Does DWR require applicants to account for these items in the proposed project schedule or must they include the physical documents with their submittal?
- b) If applicants include the physical documents, are six hardcopies of the documents required, as with the application itself (original plus five), or a lesser number?
- c) Page 4 of the Grant Application package states that applicants must include one electronic copy of the application in Microsoft Word on a compact disc. Will DWR accept electronic copies of supporting documentation in Adobe PDF or other formats? May applicants submit several compact discs if necessary to fit these files?

A: Responses:

- a) Applicants must submit detailed schedules and all supporting documentation.
- b) Each applicant should submit one original application including supporting documentation and five hardcopies of the application and supporting documentation, for a total of six complete packages.
- c) To streamline the review process, DWR requests an electronic copy of the application in Microsoft Word. Electronic copies of supporting documentation may be provided in Microsoft Word or Adobe PDF. DWR will accept several compact discs as needed to accommodate all files.

Q: On page 11 of the Grant Application package for the State-Federal Flood Control System Modification Program, Early Implementation Projects, Criterion 10 indicates that formal acknowledgment of flood risk must be made by resolutions of the affected cities and counties within 60 days of a funding letter. Is draft language for that resolution available now?

A: DWR is developing the resolution language; currently, draft language is not available. The resolution language will be posted on the floodSAFE web site at www.floodsafe.water.ca.gov by May 30, 2007.

floodSAFE California Initiative

Q & A

Q: The Grant Application package for the State-Federal Flood Control System Modification Program, Early Implementation Projects outlines application requirements in terms of criteria, attachments, etc., but is there a specific format (e.g., table of contents) that should be used while preparing/assembling the applications that would provide continuity for the review team?

A: As the application submittal deadline is rapidly approaching, applicants may be in the final stages of their preparations. The introduction of any formatting/presentation preferences at this time may place undue burden on the applicants. With this in mind, DWR offers the following as suggestions, not as requirements for consideration:

- In the body of the application, provide sufficient narrative detail for the reviewer, including a concise description of the proposed project.
 - Include an adequate number of references to supporting documents (with sections and page numbers) within the body of the application.
 - Include a table of contents for the body of the application.
 - If any supporting document is very large, include a supplementary table of contents (listing chapters, tables, figures, photos, and appendices) for that document.
-

floodSAFE California Initiative

Q & A

Flood Protection Corridor Program

Q: Is there a public comment period for the Flood Protection Corridor Program (FPCP) draft guidelines?

A: Yes. The deadline for public comment on the draft Guidelines for the Flood Protection Corridor Program is April 30, 2007 at 5 p.m. Only written comments on the draft guidelines will be accepted, and comments may be submitted via email to floodsafe@water.ca.gov, or mailed to 3310 El Camino Avenue, Sacramento, California 95821, Attention: Flood Protection Corridor Program.

Q: Will there be an application deadline for grants under the FPCP, or will applications be accepted on a “rolling” basis?

A: According to the draft Guidelines for the Flood Protection Corridor Program, grant proposals will be solicited during discrete application periods. The time period for submitting applications shall be at least 30 days from the date notice is given by DWR that project proposals are being solicited. As long as uncommitted funds remain available to fund new projects, DWR shall solicit proposals at least once per calendar year.

Q: How can I determine whether the project my agency is considering is eligible for funding under the FPCP?

A: Grant funding eligibility for proposed projects is defined in Section 5 (page 7) of the draft Guidelines for the Flood Protection Corridor Program.

Q: I did not see in the guidelines the required match for the FPCP. Is there a consideration for disadvantaged communities?

A: The FPCP does not require any specific cost-share composition. However, in evaluating competitive proposals, DWR will issue a higher score in proportion to the amount of matching funds an applicant can bring to the project. Non-State matching funds will bring the highest score.

Disadvantaged communities will receive consideration under the FPCP. In the Grant Application, under Section VI – Miscellaneous Benefits and Quality of Proposal, Item C1 solicits the applicant’s assessment of the quality of the proposed project impact on underrepresented populations. The term “underrepresented populations” refers to minorities and disadvantaged communities. If the applicant makes a strong case for benefits of the project to these populations, the applicant can attain a score from this question alone equal to 60 points, or 6 percent of the total points available.

floodSAFE California Initiative

Q & A

Q: A cursory review of the new draft Guidelines for the Flood Protection Corridor Program suggests that they are very similar to the old program guidelines under Proposition 13. What are the significant differences, if any?

A: The proposed guidelines are not significantly different from the former regulations. The changes are minor, having to do with inclusion of the concept of reducing taxpayer liability for flooding and a reduction of the solicitation period for new projects to a minimum of 30 days. In the new guidelines, we have also added the new Proposition 84 requirement for a Labor Compliance Program for public works projects. Other than that, the language changes relate to the funding source being from Proposition 84 rather than Proposition 13.

Q: I understand there is a set amount of money for FPCP projects. Will there be a time frame for FPCP projects to be “in the ground”?

A: Under Proposition 84 (The Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006), Section 75032.5 authorizes a sum of \$40 million to be made available for Flood Protection Corridor projects. In Fiscal Year 2007-08, the Department of Water Resources (DWR) intends to disburse \$25 million in FPCP grant funds, with a grant cap of \$5 million per project.

The draft *Guidelines for the Flood Protection Corridor Program* do not specify time frames for project completion. However, submitted grant application forms will be evaluated by a Project Evaluation Team comprised of DWR staff and other consulting governmental agencies. Project proposals that meet the minimum qualifications as defined in the Competitive Grant Application Form will undergo review by the Project Evaluation Team, who will award points based upon various applicant-identified project benefits. Projects to be implemented over an extended period of time are not excluded from consideration; however, an FPCP project with a timely implementation is likely to be more competitive than an FPCP project offering comparable benefits but delayed implementation.

For more complete program information, including minimum qualifications, eligibility, funding priorities, and points scoring, please review the draft *Guidelines for the Flood Protection Corridor Program* and the *Flood Protection Corridor Program Project Evaluation Criteria and Competitive Grant Application Form*. Electronic copies of both documents are available (in MS Word and PDF formats) on the floodSAFE web site: www.floodsafe.water.ca.gov. Please note that the draft guidelines have been released for public comment, and the deadline for public comment is April 30, 2007 at 5 p.m. Formal solicitation of FPCP Grant Applications has not yet begun.

Upon grant award, successful applicants, or “project sponsors,” must observe requirements outlined in the program guidelines. In particular, you may wish to review the draft guidelines, Section 9 – Grant Contract Requirements and Section 10 – Progress Reports, which include several requirements and restrictions relating project milestones with disbursement of FPCP grant funding.

floodSAFE California Initiative

Q & A

Local Levee Grant Program

Q: Is there a public comment period for the Local Levee Grant Program draft guidelines?

A: Yes. The deadline for public comment on the draft Guidelines for the Local Levee Grant Program is April 30, 2007 at 5 p.m. Only written comments on the draft guidelines will be accepted, and comments may be submitted via email to floodsafe@water.ca.gov, or mailed to 3310 El Camino Avenue, Sacramento, California 95821, Attention: Local Levee Grant Program.

Q: Under the Local Levee Grants Program and specifically the Local Levee Evaluation Program (LOLE), is DWR seeking proposals for levee evaluation projects for which a local agency has already identified a potential flood management problem?

A: Although applications may be submitted for evaluation of any local levee, applicants should bear in mind that grant funding under the LOLE Program will be offered competitively statewide (to qualified applicants). Appendix B of the draft Guidelines for the Local Levee Grant Program lists evaluation criteria for LOLE Program projects, including a series of guidance questions applicants may wish to address in their proposals.

Grant applications will be scored on a scale of 1 to 5, with 1 being “low” and 5 being “high”. Criterion scores will be multiplied by a weighting factor indicating the importance of the criterion. Because critical need is one of the competitive criteria upon which applications will be judged (with a weighting factor of 2), applications for LOLE Program projects with a demonstrable critical need will be more competitive than applications that do not demonstrate critical need.

Q: For the purpose of the Local Levee Grant Program, how will DWR define the type of facilities that are levees?

A: As currently proposed, the draft Guidelines for the Local Levee Grant Program define a “levee” as “an embankment intentionally constructed for the purpose of preventing overflow of a watercourse.” Notwithstanding revision resulting from public comment, for a local levee evaluation grant proposal to be considered under the LOLE Program, the subject facility must meet the definition of a “levee” as defined on page 8 of the draft guidelines.

Q: Is it correct that applicants must provide a 50-percent non-State match for Local Levee Grant Program funding?

A: Yes. DWR will require that 50 percent of the eligible costs for repair or evaluation are provided by the grantee.

floodSAFE California Initiative

Q & A

Q: Is there a preference between cash or in-kind matching for Local Levee Grant Program funding?

A: DWR does not have a preference on whether the grantee's 50-percent share is accomplished through in-kind services or cash payments. If in-kind services are rendered, DWR will require that the costs be reasonable and justified, as determined through the evaluation of submitted invoices and supporting documentation.

If cash payments are rendered, the matching funds used by the grantee must be non-State funds.

Q: Is there a defined project period for projects funded by the Local Levee Grant Program?

A: Not necessarily, but the factor of project timing will be considered during DWR's evaluation of proposed levee projects/evaluations. Specifically for a LLUR grant, the intended use of the funds is to immediately repair local (non-Project) levees. Applications that propose to implement the project over an extended period of time, for whatever reasons, will be given lower priority than those that propose implementation during the current construction season. This is generally true for the LOLE grants as well.

Q: How much funding will be available through the Local Levee Grant Program—LLUR, LOLE, and total?

A: Total funding for the Local Levee Grant Program for FY 2007-08 is \$60 million—\$40 million for LLUR grants and \$20 million for LOLE grants. Please note that these amounts will also cover DWR's costs to develop and administer the program, so the amount actually awarded as grant funding will be slightly less than \$60 million.

At this time, LLUR grant funds will only be awarded in FY 2007-08; no future funds are identified for this grant. DWR anticipates that there will be additional rounds of funding for LOLE grants, but to date no specific funding values have been determined.

Q: What suggestions can DWR offer prospective applicants?

A: Applicants are encouraged to be sure that their submitted applications are complete. A precursor to evaluation of proposed levee projects/evaluations is screening for applicant eligibility and application completeness. If either of these screening criteria is not met, the application will not move forward to the evaluation stage. This, along with all the other eligibility requirements and evaluation criteria, is noted in the draft Guidelines for the Local Levee Grant Program or associated appendices.

DWR anticipates holding at least one public workshop to assist local agencies in completing applications. The location, date, and time of the proposed workshop will be stated in the PSP/application.

floodSAFE California Initiative

Q & A

Q: When does DWR expect to release the Proposal Solicitation Package (PSP) for the Local Levee Urgent Repair (LLUR) grant program?

A: DWR anticipates release of the PSP/application for the LLUR grants in May 2007. Interested parties are encouraged to visit the floodSAFE web site regularly, because program information will be posted and updated frequently. In addition, DWR will directly notify members of the floodSAFE distribution list of program developments via email or standard mail. To be added to the floodSAFE distribution list, please submit contact information through the floodSAFE email address: floodsafe@water.ca.gov, or you may call (916) 654-6640.

Q: When does DWR expect to release the PSP for the Local Levee Evaluation (LOLE) grant program?

A: DWR anticipates release of the PSP/application for the LOLE grants in July 2007. Interested parties are encouraged to visit the floodSAFE web site regularly, because program information will be posted and updated frequently. In addition, DWR will directly notify members of the floodSAFE distribution list of program developments via email or standard mail. To be added to the floodSAFE distribution list, please submit contact information through the floodSAFE email address: floodsafe@water.ca.gov, or you may call (916) 654-6640.

Q: What will be the deadlines for submittal of applications for Local Levee Grant Program funding?

A: Assuming PSP/application release dates follow the anticipated schedule (see above), the LLUR applications will be due in June 2007, and the LOLE applications will be due in August 2007. Specific deadlines for these two programs will be indicated in the respective PSP/applications, and they will be posted on the floodSAFE web site, www.floodsafe.water.ca.gov.

floodSAFE California Initiative

Q & A

Q: I found the crediting provisions of the draft Guidelines for the Local Levee Grant Program somewhat confusing. Under what circumstances would DWR enter into a crediting agreement?

A: Credit or reimbursement agreements may be executed by DWR to allow grantees to begin work immediately after a grant is awarded, but prior to the execution of a grant agreement. This is especially true for LLUR grants.

For example, a grantee may receive a letter of commitment from DWR and be ready to immediately begin repairing its eroded or seepage-laden levee. However, extended negotiations for the grant agreement could cause unnecessary delay to local levee repair work, which could in turn prevent completion of the work before the coming flood season, thus leaving the communities protected by these levees at continued risk of flooding for another season.

Please note that draft Guidelines for the Local Levee Grant Program have been released for public comment. Suggested language changes to clarify the crediting provisions are welcome and will be considered for inclusion, along with other comments or suggested changes received during the public comment period. Please note that the deadline for public comment is April 30, 2007 at 5 p.m.
